

Express Mail Label N :: EV328184537US  
Date of Deposit: July 21, 2003

Attorney Docket No. 19141-509  
(NTUSA-9 CIP2DIV12CON2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FIRST-NAMED INVENTOR: Keith E. Dionne

FOR: IMPLANTABLE BIOMATERIAL IMMUNOISOLATORY  
VEHICLE FOR THE DELIVERY OF SELECTED THERAPEUTIC  
PRODUCTS

July 21, 2003  
Boston, Massachusetts

MAIL STOP PATENT APPLICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR FILING A CONTINUING PATENT APPLICATION  
UNDER 37 C.F.R. §1.53(b)

1. This is a request for filing a continuation application under 37 C.F.R. §1.53(b) of copending application USSN 10/007,344, filed October 25, 2001.

2. Prior to examination of this application, please amend page 1 of the specification by replacing the paragraph under the heading "Related Applications" with the following:

This application is a continuation of Serial No. 10/007,344 filed October 25, 2001, which is a continuation of Serial No. 09/563,248 filed May 2, 2000, now U.S. Patent No. 6,322,804, which is a divisional of 09/148,671 filed September 4, 1998, now U.S. Patent No. 6,083,523, which is a divisional of Serial No. 08/449,837 filed May 24, 1995, now U.S. Patent No. 5,874,099, which is a divisional of Serial No. 08/179,151 filed January 10, 1994, now U.S. Patent No. 5,800,828, which is a continuation-in-part of PCT application Serial No. US 92/03327 filed April 22, 1992, which is a continuation-in-part of Serial No. 07/692,403 filed April 25, 1991, now abandoned.

3. A copy of the petition for a three (3) month extension of time for a responding to an Office Action dated January 22, 2003 for USSN 10/007,344 that was filed on July 21, 2003 is enclosed. A copy of the check in the amount of \$465.00 for the petition is enclosed. With the extension, the deadline for responding to the Office Action in USSN 10/007,344 is July 22, 2003. This continuation is being filed in response to the outstanding January 22, 2003 Office Action in USSN 10/007,344.



**FIRST-NAMED INVENTOR:** **Keith E. Dionn**  
**Request for Continuation Application**

**4.** A true copy of the parent application USSN 10/007,344 is enclosed. This application is a total of 134 pages. This application includes:

132 pages of specification (not including claims, abstract, or figures)  
1 page of claims  
1 page of abstract  
9 sheets of drawings (Figs. 1-11B)

**5.** A copy of a signed combined Declaration/Power of Attorney submitted in parent application USSN 10/007,344 is included (8 counterparts, 48 pages).

**6.** Fees associated with this application have been calculated as follows:

<b>CLAIMS AS FILED</b>					
<b>Claims</b>	<b>Number Filed</b>	<b>Basic Fee Allowance</b>	<b>Number Extra</b>	<b>Rate</b>	<b>Basic Fee 37 C.F.R. 1.16(a) \$750.00</b>
Total Claims (37 C.F.R. 1.16(c))	1	- 20 =	0	\$18.00	\$0.00
Independent Claims (37 C.F.R. 1.16(b))	1	- 3 =	0	\$84.00	\$0.00
Multiple Dependent Claim(s), if any (37 C.F.R. 1.16(d))		-0-		\$280.00	\$0.00
				<b>SUBTOTAL:</b>	<b>\$750.00</b>
				<b>TOTAL FEE:</b>	<b>\$375.00</b>

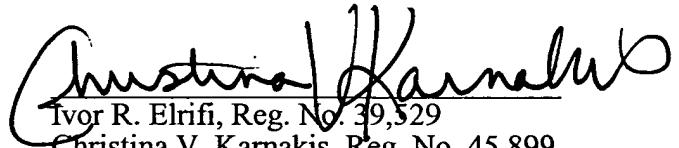
**7.** Incorporation by Reference

The entire Disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

**FIRST-NAMED INVENTOR:** Keith E. Dionne  
**Request for Continuation Application**

8. A return receipt postcard is enclosed.

Respectfully submitted,



Ivor R. Elrifi, Reg. No. 39,529  
Christina V. Karnakis, Reg. No. 45,899  
Attorneys for Applicants  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY AND POPEO, P.C.  
One Financial Center  
Boston, Massachusetts 02111  
Tel: (617) 542-6000  
Fax: (617) 542-2241

**Customer No. 30623**

TRA 1815903v1

Express Mail Label N :: EV328184758US

Date of Deposit: July 21, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

---

ART UNIT:	1616	EXAMINER:	Gollamudi
APPLICANTS:	Dionne et al.	ART UNIT:	1616
SERIAL NO.:	10/007,344		
FILING DATE:	October 25, 2001		
FOR :	IMPLANTABLE BIOCOMPATIBLE IMMUNOISOLATORY VEHICLE FOR THE DELIVERY OF SELECTED THERAPEUTIC PRODUCTS		

---

July 21, 2003  
Boston, Massachusetts

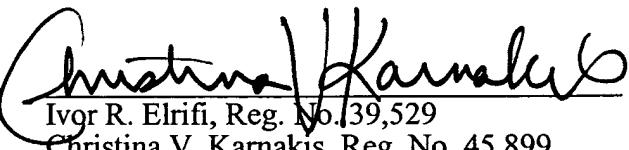
Commissioner for Patents  
Washington, D.C. 20231

**PETITION FOR EXTENSION OF TIME**

Pursuant to 37 C.F.R. §1.136(a), Applicant hereby petitions for a three month extension of time to respond to the January 22, 2003 Office Action in the above-identified application. With the extension, this Response is due on or before July 22, 2003. A check in the amount of \$465.00, in payment of the fee required by 37 C.F.R. § 1.17(a)(3), is enclosed herewith.

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 19141-509 CIP2DIV12CON (NTUSA-9 CIP2DIV12CON). A duplicate copy of this Petition is enclosed.

Respectfully submitted,

  
Ivor R. Elrifi, Reg. No. 39,529  
Christina V. Karnakis, Reg. No. 45,899  
Attorneys for Applicants  
c/o MINTZ, LEVIN  
One Financial Center  
Boston, Massachusetts 02111  
Tel: (617) 542-6000  
Fax: (617) 542-2241

Express Mail Label No. EV328184758US

Date of Deposit: July 21, 2003

16698

MINTZ LEVIN COHN FERRIS GLOVSKY  
& POPEO PC

ONE FINANCIAL CENTER  
BOSTON, MA 02111

DATE

7-18-03

5-13/110

PAY  
TO THE  
ORDER OF

COMMISSIONER OF PATENTS AND TRADEMARKS

\$ 465.00

DOLLARS

Security Features  
Included  
Details on Back



81358

Small Business Services  
smalbiz.fleet.com

Boston, MA

DO NOT EXCEED OVER \$10,000.00

FOR 3-month ext 19141 309 CP2 YU12 CON 2

11016698 110110001381 00545 85025

MP